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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JULIA HUBBARD and KAYLA
GOEDINGHAUS,

Plaintiffs,

vs.

TRAMMELL S. CROW, JR., et al.

Defendants.

CASE NO.: 2:22-cv-7957-FLA-MAA

Hon. Fernando L. Aenlle-Rocha

**DECLARATION OF MELISSA B.
MILLER, M.D. IN SUPPORT OF
MOTION TO DISMISS FOR LACK
OF PERSONAL JURISDICTION**

Date: April 28, 2023

Time: 1:30 p.m.

Location: Courtroom 6B

In support of the motion to dismiss for lack of personal jurisdiction, the
following declaration is submitted.

DECLARATION OF DEFENDANT MELISSA B. MILLER, M.D.

I, Melissa B. Miller, M.D., hereby declare as follows:

1. I was served with the "Complaint" identifying plaintiffs Julia Hubbard and Kayla Goedinghaus as plaintiffs and including my name as a defendant, in case number 2:22-cv-7957.

2. The complaint refers to the case as pending in the United District Court for the Central District of California.

3. This declaration is in support of the motion to dismiss based on lack of personal jurisdiction. I have personal knowledge of the matters described in this declaration and if I were called to testify as a witness in court, I could and would competently testify to the facts stated here.

4. On January 30, 2023, a man appeared at my office, located in Cedar Park, Texas, and handed me a copy of legal documents, particularly the complaint of plaintiffs.

5. For the past 40 years, I have continuously resided in the state of Texas and intend to continue living in Texas for the foreseeable future.

6. All of my education was in Texas. In 1999, I graduated from the University of Texas, in Austin, with degree in biochemistry. In 2003, I graduated from the University of Texas Southwestern Medical School with a degree as a Medical Doctor. From 2003 to 2006, I received training in a one year internship and two year residency in the discipline of internal medicine at Baylor University Medical Center, in Dallas, Texas. Since completing my medical training, I have practiced medicine in the state of Texas. I have never practiced medicine anywhere other than the state of Texas. For the past 11 years, I have provided medical services as a physician with Premier Health MD, in Cedar Park, Texas. All of my professional work has been and continues to be conducted in Texas.

7. I have never lived in California at any time in my life. I have never owned or had any interest in real property in California.

1 8. I have only been to California for one four day vacation, in Yosemite,
2 in 2010.

3 9. I have never been involved in litigation in California in any capacity
4 until the complaint in this matter.

5 10. The medical services that I provided to plaintiff Kayla Goedinghaus
6 were initiated when, in 2019, she came to my office, in Cedar Park, Texas, seeking
7 to establish care with me as a physician. Ms. Goedinghaus provided her address as
8 being in Austin, Texas. All of the medical services that I provided to Ms.
9 Goedinghaus were provided by me in Texas. I did not provide any medical service
10 to Ms. Goedinghaus in California. I did not have contact with anyone in California
11 relative to the medical services provided to Ms. Goedinghaus.

12 11. I have never provided any medical services to, nor had any contact with,
13 plaintiff Julia Hubbard.

14 12. I did not know Richard "Rick" Hubbard prior to my physician-patient
15 relationship with Ms. Goedinghaus. Ms. Goedinghaus later referred him to me at my
16 Cedar Park, Texas office.

17 13. I have never been in California with either plaintiff. I have never been
18 in California with any of the other persons who have been identified as defendants
19 in matter and I did not contact any of them in California.

20 14. I have never conducted any business in the state of California. I have
21 never paid any income tax or property taxes in the state of California.

22 15. I have never consented to be subject to the jurisdiction of courts in
23 California.

1 16. I do not believe that I should be subject to the jurisdiction of the District
2 Court in California.

3 I declare under penalty of perjury under the laws of the United States of
4 America that the foregoing is true and correct.

5 Executed in Cedar Park, Texas, on March 20, 2023.

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Melissa B. Miller, M.D.

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Post Office Box 22636, Long Beach, CA 90801-5636. On March 20, 2023, I served a true and correct copy of the following document on the interested parties in this action as follows:

DECLARATION OF MELISSA B. MILLER, M.D. IN SUPPORT OF MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 20, 2023, at Los Angeles, California.

/s/ A Lorraine Orduno

A. Lorraine Orduno